

**THE STATE OF NEW HAMPSHIRE**  
**JUDICIAL BRANCH**  
<http://www.courts.state.nh.us>

Court Name: \_\_\_\_\_  
Case Name: \_\_\_\_\_  
Case Number: \_\_\_\_\_  
(if known)

**ACKNOWLEDGEMENT OF RIGHTS**  
**CLASS A MISDEMEANORS**

The statements made below shall apply to each and every complaint, if there be more than one, to which I intend to plead guilty or no contest. I, \_\_\_\_\_ of \_\_\_\_\_ have been charged in the \_\_\_\_\_ Court with the following offense(s):  
\_\_\_\_\_  
\_\_\_\_\_

I understand that the complaint is one accusing me of a Class A Misdemeanor(s), and that I have the right to be represented by a lawyer of my own choosing and at my own expense, and that if I am unable to afford a lawyer the Court will appoint one for me subject to an order of reimbursement based on my ability to pay.

I am represented by \_\_\_\_\_, a lawyer admitted to practice in New Hampshire.  
I am satisfied with my lawyer and all explanations have been clear.

I do not want a lawyer. I understand and know what I am doing. I hereby waive my right to a lawyer.

I understand that I do not have to plead GUILTY or NO CONTEST and that even after signing this form I still do not have to plead GUILTY or NO CONTEST.

I understand that by pleading GUILTY OR NO CONTEST to the charge(s) that I am giving up the following constitutional rights as to the charges:

**MY RIGHT** to a speedy trial and public trial.

**MY RIGHT** to see, hear, and question all witnesses. This gives me the opportunity and right to confront my accusers and cross-examine them myself or through my attorney

**MY RIGHT** to present evidence and call witnesses in my favor and to testify on my own behalf.

**MY RIGHT** to remain silent and not testify at a trial.

**MY RIGHT** to have the judge *ORDER* into court all evidence and witnesses in my favor.

**MY RIGHT** not to be convicted unless the State proves that I am guilty beyond a reasonable doubt with respect to all elements of the charge(s), which have been explained to me.

**MY RIGHT** to keep out evidence, including confessions, illegally obtained.

**MY RIGHT** to a trial before a jury and my right to appeal issues of law to the Supreme Court.

**I GIVE UP ALL THE ABOVE RIGHTS OF MY OWN FREE WILL.**

Case Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

**ACKNOWLEDGMENT OF RIGHTS CLASS A MISDEMEANOR**

I understand that by pleading GUILTY or NO CONTEST I am admitting to or not contesting the truth of the charge(s) against me in the complaint(s) and that on the judge's acceptance of my GUILTY or NO CONTEST plea, a conviction(s) will be entered against me

No force has been used upon me, nor have any threats been made to me, by any member of the Prosecutor's Office or anyone else to have me enter this plea of GUILTY or NO CONTEST

No promises have been made to me by any member of the Prosecutor's Office or anyone else in an effort to have me enter this plea of GUILTY or NO CONTEST to the charge, except as follows:

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However, I understand that the judge is not bound by the prosecutor's recommendation as to sentence, and that I may withdraw my plea if the judge exceeds the limits of a negotiated plea.

I understand as a consequence of my plea of GUILTY or NO CONTEST that the judge may impose any sentence deemed appropriate in the judge's sole discretion, subject to a maximum penalty of one year in jail and a \$2,000 fine for each offense.

I understand that if I am convicted of stalking under RSA 633:3-a and have one or more prior stalking convictions in this state or another state when the second or subsequent offense occurs within seven years following the date of the first or prior offense, I shall be guilty of a CLASS B FELONY.

I understand that if the complaint is one accusing me of a second offense of operating under the influence within ten years of a first conviction, I SHALL be guilty of a CLASS A MISDEMEANOR, shall be sentenced to confinement for a period of not less than ten consecutive days, three days to be served in the house of correction and seven days to be served at the Intervention Detention center at my own expense, to be served within 21 days of sentencing. I understand that if I fail to complete the program, I shall be in contempt of court and shall serve a minimum of 30 days in the house of correction. I may also be sentenced to imprisonment for up to a maximum period of one year, shall lose my license and/or right to operate for a minimum period of three years, shall be fined not less than \$500 and not more than \$2,000, and I may not have my license and or right to operate restored until I furnish proof of financial responsibility to the New Hampshire Division of Motor Vehicles. If I am convicted of a subsequent driving under the influence charge after completing the program at the Intervention Detention Center, I shall be sentenced to no less than 30 consecutive days at the house of correction and must complete a 28-day treatment program at my own expense before my driving privileges are restored.

Should the complaint be one of aggravated driving while intoxicated, I shall be guilty of a CLASS A MISDEMEANOR, shall be fined not less than \$500 and not more than \$2,000, shall lose my license to operate for a period of not less than one year and not more than two years.

I understand that If I am convicted of driving after revocation or suspension of my license for operating under the influence first or subsequent offense or for aggravated driving while intoxicated, I shall be guilty of a CLASS A MISDEMEANOR, shall be sentenced to imprisonment for a period of not less than seven days and may be sentenced to imprisonment for up to a maximum period of one year, shall be fined not more than \$2,000, and shall have my license and/or right to operate revoked for an additional year.

Case Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

**ACKNOWLEDGMENT OF RIGHTS CLASS A MISDEMEANOR**

Should the complaint be one involving an offense against the motor vehicle laws, and if I should have a record of as few as two other motor vehicle convictions, I understand that the State may seek to have me declared a HABITUAL OFFENDER; and as a consequence of being declared an habitual offender, I would lose my license to operate for one to four years. I realize that if I am found to be a habitual offender, it is my responsibility, at the end of the revocation period, to petition the Director, Division of Motor Vehicles, to restore my privilege to drive a motor vehicle. I understand that if I were to operate during that revocation period, or any time before my privilege to drive a motor vehicle is restored, then I would be subjecting myself to a mandatory prison term of not less than one year, and not more than five years.

Should the complaint be one of a CLASS A MISDEMEANOR theft of property not exceeding \$500, following two convictions upon such a charge, a third offense is chargeable as a FELONY.

I understand that if I am convicted of DWI four times in ten years, that the fourth conviction will be a FELONY and that I could be sentenced to imprisonment for up to seven years and a fine of up to \$4,000. I will also lose my license or right to operate for a minimum of seven years.

I understand the nature of the charge(s) against me and the maximum punishment that may be imposed. I am not under the influence of alcohol and drugs.

I understand the entire contents of the Acknowledgment of Rights, and I freely and voluntarily sign this form below. I also understand that I may have a copy of this form upon request.

Highest Educational Grade Completed \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant

As counsel for the defendant, I have thoroughly explained to the defendant all the above, including the nature of the charge(s), the elements of the offense(s) which the State must prove beyond a reasonable doubt and the minimum and maximum penalties. I believe the defendant fully understands the meaning of this Acknowledgment of Rights, is not under the influence of drugs or alcohol, and knowingly waives all rights as set forth in this form.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Counsel for the Defendant

I hereby certify that I have examined the Defendant concerning the plea entered in this case. Based upon that examination I find that the Defendant understands the nature of the charge(s), the minimum and maximum penalties which may be imposed therefore, and the elements of the offense(s); and I find that the Defendant is not under the influence of drugs or alcohol, and that the waiver of each right set forth on this form is made intelligently, knowingly and voluntarily. I further find there is a factual basis for the Defendant's plea.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Presiding Justice